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**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO,

Plaintiff,

v.

LORI NORENE VALLOW  
AKA LORI NORENE DAYBELL,

Defendant.

Case No.: CR22-21-1624

**STATE'S RESPONSE TO DEFENDANT'S  
MOTION TO COMPEL**

The State of Idaho hereby responds to the Defendant's Motion to Compel as follows:  
The State has no objection to turning over statements by witnesses as required by ICR 16. The State has complied with this requirement and will continue to do so.

The State objects to the Defendant's Motion to Compel in so far as it appears to request that the Court order the State to disclose every interaction the State has with witnesses. Nothing in Rule 16 requires the State to disclose trial or hearing preparation with witnesses. This is simply an attempt by the Defendant to obtain the State's work product and trial strategy. Further, Rule 16 does not require the State to disclose when a victim (who may also be witness) exercises their statutory and constitutional right to contact the State with questions regarding hearings, case updates, etc. In the event a witness has provided new or different information than what has been previously provided, the State has disclosed that information and will continue to do so.

The State, through investigators, has conducted some ongoing investigation/interviews, and when this has occurred a report has been provided to the Defense. Any video/audio of

interviews will continue to be provided to the Defense. There are a few reports being finalized of recent follow up interviews with some witnesses, and once they are completed and in the State's possession, they will be provided to Defense.

The State is confused by the Defendant's false assertion that the State takes "the position that they (the State) do not need to turn this information over to the defense because the FBI, not state investigators, conducted the interviews" The State has never expressed or held this position. Indeed, the State has turned over voluminous material from the FBI – including multiple reports of interviews conducted by the FBI in relation to this case, and material obtained by the FBI.

The State objects to the Defense's false assertion that the State has taken a posture that it has no duty to disclose. Such a statement is disingenuous at best in view of the massive amount of discovery provided by the State. The State has complied with the requirements under Idaho Criminal Rule 16 and continues to do so.

Wherefore, the State respectfully request the Court deny the Defendant's Motion to Compel since the State has, and continues, to provide discovery pursuant to Idaho Criminal Rule 16, and any request by the Defendant to go beyond that, is clearly a request to obtain the State's work product and/or trial strategy.

DATED this 1<sup>st</sup> day of December, 2022

/s/ Lindsey A. Blake  
Lindsey A. Blake  
Prosecuting Attorney for Fremont County

/s/ Rob H. Wood  
Rob H. Wood  
Prosecuting Attorney for Madison County

CERTIFICATE

I HEREBY CERTIFY that on this 1<sup>st</sup> day of December, 2022, that a copy of the foregoing RESPONSE TO DEFENDANT’S MOTION TO COMPEL was served as follows:

R. James Archibald  
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By: /s/ Jodi L. Thurber